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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEE JOHN GREER,

No. C 10-2380 SBA (PR)

Petitioner,

**ORDER DIRECTING PETITIONER TO
FILE AN AMENDED PETITION**

v.

WARDEN OF CORCORAN STATE PRISON,
et al.,

Respondents.

/

Petitioner, a state prisoner, has filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On June 25, 2011, the Court issued an Order granting Petitioner's request for a stay of proceedings while he returned to state court to exhaust his administrative remedies. The Court also stated:

Nothing further will take place in this action until Petitioner receives a final decision from the California Supreme Court and, within **thirty (30) days** of doing so, moves to reopen the action, lift the Court's stay and amend the stayed petition to add the newly-exhausted claims.

(June 25, 2011 Order at 2.)

Petitioner informed the Court that he wishes to have the stay lifted; however he did not indicate that his state proceedings have concluded nor did he amend the stayed petition to add the newly-exhausted claims. Therefore, Petitioner must file a notice indicating that his state

1 proceedings have concluded, and he must also file an amended petition, which incorporates the
2 newly-exhausted claims he intends to raise in federal court, as directed below.

3 **CONCLUSION**

- 4 1. No later than **thirty (30) days** of the date of this Order, Petitioner must file in this Court:
5 (1) a notice indicating that his state proceedings have concluded; and (2) an amended petition which
6 incorporates the newly-exhausted claims he intends to raise in federal court.
7 2. The Clerk of the Court shall send Petitioner a blank § 2254 habeas petition form.

8 IT IS SO ORDERED.

9 DATED: 10/21/11

10 
11 SAUNDRA BROWN ARMSTRONG
12 United States District Judge

United States District Court
For the Northern District of California

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 LEE JOHN GREER,

5 Plaintiff,

6 v.

7 WARDEN OF CORCORAN STATE PRISON et
al,

8 Defendant.

Case Number: CV10-02380 SBA

CERTIFICATE OF SERVICE

9
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

11 That on October 25, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
13 located in the Clerk's office.

14
15 Lee John Greer F-81959
16 Corcoran State Prison
17 4001 King Road
Corcoran, CA 93212

18 Dated: October 25, 2011

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk

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United States District Court

For the Northern District of California

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